

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Greensboro Division**

DIANE OLIVER and	:	
CHAD MARTIN,	:	
<i>on behalf of themselves and all similarly</i>	:	
<i>situated individuals</i>	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 1:14-cv-517
	:	
FIRSTPOINT, INC d/b/a	:	
FIRSTPOINT INFORMATION RESOURCES	:	
	:	
Defendant.	:	

PLAINTIFFS' OPPOSITION TO DEFENDANT'S MOTION TO DISMISS

The Plaintiffs, by counsel, hereby submit this Opposition to Defendant Firstpoint, Inc.'s ("FirstPoint") Motion to Dismiss (Dkt. No. 10).

On June 24, 2014, Plaintiffs filed their Complaint against FirstPoint alleging violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681, *et seq.* (Dkt No. 1). On August 18, 2014, FirstPoint filed a Motion to Dismiss (Dkt. No. 10) alleging that Plaintiffs' Complaint fails to allege a claim for relief for a number of reasons. Plaintiffs disagree with Defendant's arguments and believe that many of them are inappropriate at this posture. However, in the interests of judicial economy and to clarify their claims, Plaintiffs intend to file an Amended Complaint, which will render FirstPoint's motion moot.

CONCLUSION

For the reasons stated above, FirstPoint's Motion to Dismiss should be denied as moot in light of Plaintiffs' amended complaint, which is forthcoming.

September 18, 2014

Respectfully submitted,
PLAINTIFFS

/s/ Leonard A. Bennett
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CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2014, I electronically filed the foregoing document using the Court's CM/ECF system, which sent notification of such filing to:

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